



Docket No. 5013

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Group Art Unit: 1631
)
Glanowski et al.) Examiner: Marianne P. Allen
)
Serial No.: 10/085,142)
)
Filed: March 1, 2002)
)
For: COMPUTER ALGORITHM FOR)
AUTOMATIC ALLELE DETERMINATION)
FROM FLUOROMETER GENEOTYPING)
DEVICE)
)
Confirmation No.: 2692)

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith patents, publications or other information (listed on the attached Form PTO-1449) of which they are aware, which may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

This Information Disclosure Statement:

- (a) [] accompanies a new patent application submitted herewith.
- (b) [] is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 CFR §1.491.
- (c) [X] as far as is known to the undersigned, is filed before the mailing date of a first Office action on the merits.

(d) [] as far as is known to the undersigned, is filed before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114.

(e) [] is filed after the first Office Action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final action under §1.113, a notice of allowance under §1.311, whichever occurs first, and is accompanied by either the fee (\$180) set forth in 37 CFR §1.17(p) or a certification as specified in 37 CFR §1.97(e), as checked below. Should any fee be due, the U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 01-2213 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement. Any deficiency or overpayment should be charged or credited to this deposit account. A duplicate of this sheet is enclosed.

(f) [] is filed after the mailing date of either a final rejection or a notice of allowance, but on or before the payment of the issue fee, and is accompanied by the fee (\$180) set forth in 37 CFR §1.17(i)(1) and a certification as specified in 37 CFR §1.97(e), as checked below. **This document is to be considered as a petition requesting consideration of the information disclosure statement.** The U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 01-2213 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement. Any deficiency or overpayment should be charged or credited to this deposit account. A duplicate of this sheet is enclosed.

[If either of boxes (e) or (f) is checked above, the following "certification" under 37 CFR §1.97(e) may need to be completed.] The undersigned certifies that:

[] Each item of information contained in the information disclosure statement was first cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.

[] No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this information disclosure statement.

A copy of the items on PTO/SB/08A that are not United States Patent documents:

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While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR §1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR §1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR §1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR §1.98 and MPEP §609 and the Examiner is respectfully requested to consider the listed references.

Respectfully submitted,

Date: October 1, 2004

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Sheet 1 of 2

Complete if Known

Application Number	10/085,142
Filing Date	March 1, 2002
First Named Inventor	Steven Glanowski et al.
Group Art Unit	1631
Examiner Name	Allen, Marianne P
Attorney Docket No.	5013

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
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OTHER ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	01	MEIN C A ET AL: "Evaluation of single nucleotide polymorphism typing with invader on PCR amplicons and its automation", GENOME RESEARCH 2000 UNITED STATES, vol. 10, no. 3, 2000, pages 330-343.	
	02	RANADE K ET AL: "High-throughput genotyping with single nucleotide polymorphisms", GENOME RESEARCH 2001 UNITED STATES, vol. 11, no. 7, 2001, pages 1262-1268.	
	03	CHEN X ET AL: "Homogeneous genotyping assays for single nucleotide polymorphisms with fluorescence resonance energy transfer detection", GENETIC ANALYSIS: BIOMOLECULAR ENGINEERING, ELSEVIER SCIENCE PUBLISHING, US, vol. 14, no. 5-6, February 1999 (1999-02), pages 157-163.	

Examiner Signature	Date Considered
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Sheet

2

of

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First Named Inventor	Steven Glanowski et al.
Group Art Unit	1631
Examiner Name	Allen, Marianne P
Attorney Docket No.	5013

OTHER ART - NON PATENT LITERATURE DOCUMENTS - CONTINUED

04	LIVAK K J: "Allelic discrimination using fluorogenic probes and the 5' nuclease assay", GENETIC ANALYSIS: BIOMOLECULAR ENGINEERING, ELSEVIER SCIENCE PUBLISHING, US, vol. 14, no. 5-6, February 1999 (1999-02), Pages 143—149.
05	FUJISAWA H ET AL: "Genotyping of single nucleotide polymorphism using model-based clustering", BIOINFORMATICS 22 MAR 2004 UNITED KINGDOM, vol. 20, no. 5, 22 March 2004 (2004-03-22), pages 718-726.
06	International Search Report dated 18 August, 2004 for International Application no. PCT/US03/06309.

Examiner Signature		Date Considered	
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